

Serial No.: 10/582,341
Docket No.: 28951.1176

REMARKS

Claims 1-14, as amended, remain herein. Claims 1, 2-5, 7-10 and 12-14 have been amended.

1. The Office Action objected to the drawings as failing to show the claimed “light incident surface of the optical element” which is “in a curved configuration with a curvature,” as recited in claim 12. But, Figs. 9 (a) and 9 (b) show the limitations of claim 12. One skilled in the art would comprehend that the cylindrical lens 62 has the recited curvature.

The Office Action objected to the use of allegedly inconsistent terminology for the same structural elements. The terms “optical coupling parts,” “reflection prisms,” “optical path coupling parts,” “inclined surfaces,” and “prism,” as described in applicants’ specification refer to the elements identified by reference numerals 21 and 22 shown throughout the figures. Each of the terms describes some structural feature or characteristic of the elements 21 and 22, and use of different terms to describe the same elements is appropriate. There is nothing in the MPEP which proscribes applicants from using multiple descriptive terms to describe and elaborate on the same structural elements. While different terms are utilized in applicants’ specification to fully describe the structural elements 21 and 22, the claims recite “light path coupling parts” consistently throughout.

2. Claims 1, 8 and 13 were rejected under 35 U.S.C. § 112, first paragraph. The Office Action alleged that it is unclear from the drawings and specification how the paths for light transmission are curved. Page 16, fifth paragraph; page 26, fourth paragraph; and page 28, third paragraph of applicants’ specification support the claimed curved path.

The claim 7 amendment moots the 35 U.S.C. § 112, second paragraph, rejection.

3. Claims 1-4 and 13 were rejected under 35 U.S.C. § 102 (b) over Stites '330. Stites '330 describes a folded light tunnel apparatus as shown below.

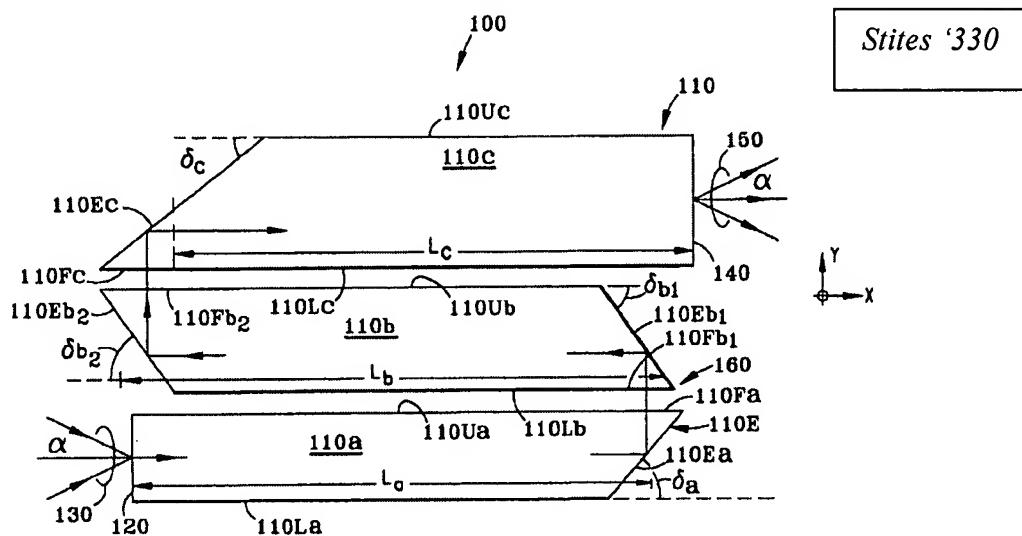


FIG. 5

Stites '330 fails to disclose or suggest a "plurality of light path coupling parts which couple adjacent waveguides and optically couple said plurality of waveguides serially," as recited in applicants' claims 1 and 13. The Office Action alleges that the beveled end faces 110Ea, 110Eb1, 110Eb2, 110Ec of Stites '330 describe applicants' claimed light path coupling parts, but there is no description in Stites '330 that the beveled end faces are "coupled" to the prisms 110a, 110b and 110c. That is, the beveled end faces are merely surface ends of the prisms, and are not separately coupled to the prisms (see Stites 330, col. 6, lines 45 – col. 7, line 19).

Thus, Stites '330 does not disclose all elements of applicants' claimed invention and therefore is not an adequate basis for a rejection under § 102. Nor does Stites '330 suggest

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applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection, and allowance of claims 1 and 13 are respectfully requested. Dependent claims 2-4 are patentable by virtue of their dependency from claim 1.

4. Claims 5, 6 and 8-12 were rejected under 35 U.S.C. § 103 (a) over Stites '330. These claims should be patentable based on the rationale discussed above with respect to claims 1 and 13. None of the cited secondary references discloses what is missing from Stites '330 as discussed above.

5. Claims 13 and 14 were rejected under 35 U.S.C. § 103 (a) over Japanese Published Patent Application No. 8-111107 and Stites '330. The JP '107 application describes a structure shown in its Fig. 5.

The cited JP '107 application fails to teach or suggest "a plurality of light path coupling parts which couple adjacent waveguides and optically couple said plurality of waveguides serially," as recited in claim 13. While the Office Action cites the prisms 81-85 as describing the noted elements, the JP '107 application does not show the prisms coupling "*adjacent* waveguides." Rather, each of the prisms connects to one of transparent boards 91-94, as shown in Fig. 5 of the JP '107 application. (see JP '107 application, [0050] – [0052]). Further, the prisms also are not separate from the transparent bodies 71-73.

Stites '330 fails to disclose what is absent from the JP '107 application under the rationale discussed above with respect to claim 1.

Thus, there is no disclosure or teaching in either JP '107 or Stites '330 of all elements of applicant's claimed invention. Nor is there any disclosure or teaching in either JP '107 or Stites

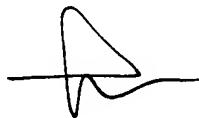
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‘330 that would have suggested applicants’ claimed invention to one of ordinary skill in the art. Still further, there is no disclosure or teaching in either of these references, and no sound basis stated in this record, that would have suggested the desirability of combining any portions thereof effectively to anticipate or render obvious applicant’s claimed invention. Accordingly, reconsideration and withdrawal of these grounds of rejection, and allowance of claims 13 and 14 are respectfully requested.

Accordingly, this application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28951.1176). If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants’ undersigned attorney at the number listed below.

Respectfully submitted,

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